

NEEDLE & ROSENBERG

IMPORTANT FAX DOCUMENT

DATE October 9, 2003
NAME Examiner M. Belyavskiy
Group Art Unit 1644
COMPANY U.S. Patent and Trademark Office
FAX NUMBER 703/305-3014

FROM Robert A. Hodges, Reg. No. 41,074
REFERENCE NO. Attorney Docker No. 05010.0087U1
OUR FAX NUMBER 678-420-9301
NUMBER OF PAGES 5

NEEDLE & ROSENBERG PC
SUITE 1000
999 PEACHTREE STREET
ATLANTA, GEORGIA 30309-3915
678-420-9300
NEEDLEROSENBERG.COM

RECEIVED
CENTRAL FAX CENTER

OCT 10 2003

OFFICIAL

In re Application of: WALLER et al) Group Art Unit: 1644
Application No. 09/945,339) Examiner: Belyavskiy, Michail A.
Filing Date: August 31, 2001) Confirmation No. 1418

For: METHODS OF TRANSPLANTATION
USING CHEMOTHERAPY-TREATED
ALLOGENEIC CELLS THAT ENHANCE
IMMUNE RESPONSE WITHOUT GRAFT
VERSUS HOST DISEASE

Documents include:

- 1) Notice of Appeal (2 pages)
- 2) Request for Extension of Time (2 pages)
- 3) Credit Card Payment Form PTO-2038 (1 page)

CONFIDENTIALITY NOTE

The information which follows and is transmitted herewith is attorney privileged, trade secret and confidential information intended only for viewing and use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any review, use, communication, dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address.

OCT. 9. 2003 5:42PM NEEDLE & ROSENBERG

NO. 968 P. 2/6

PTO-2038 (02-2000)

Approved for use through 01/31/2003. OMB 0651-0043

United States Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

United States Patent & Trademark Office
Credit Card Payment Form
Please Read Instructions before Completing this Form

Credit Card Information			
Credit Card Type:	Visa	MasterCard	<u>American Express</u> Discover
Credit Card Account #:	3785-202310-84006		
Credit Card Expiration Date:	August 2005		
Name as it Appears on Credit Card:	Lawrence K. Nodine		
Payment Amount: \$(US Dollars):	585.00		
Signature:	<i>Lawrence K. Nodine</i>		Date: 10/9/03
<small>Refund Policy: The Office may refund a fee paid by mistake or in excess of that required. A change of purpose after the payment of a fee will not entitle a party to a refund of such fee. The Office will not refund amounts of twenty-five dollars or less unless a refund is specifically requested, and will not notify the payor of such amounts (37 CFR 1.26). Refund of a fee paid by credit card will be via credit to the credit card account. Service Charge: There is a \$0.00 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)).</small>			
Credit Card Billing Address			
Street Address 1:	999 Peachtree Street		
Street Address 2:	Suite 1000		
City:	Atlanta		
State:	Georgia	Zip/Postal Code :	30309
Country:	U.S.A.		
Daytime Phone #:	678-420-9300	Fax #:	678-420-9301
Request and Payment Information			
Description of Request and Payment Information:			
<i>Notice of Appeal & Three-month extension of time.</i>			
Patent Fee	Patent Maintenance Fee	Trademark Fee	Other Fee
Application No.	Application No.	Serial No.	IDON Customer No.
<i>09/945,339</i>			
Patent No.	Patent No.	Registration No.	
Attorney Docket No.		Identify or Describe Mark	
<i>05010-0087U1</i>			

If the cardholder includes a credit card number on any form or document other than the Credit Card Payment Form,

Received from <4046889880> at 10/9/03 5:45:35 PM [Eastern Daylight Time] will not be liable in the event that the credit card number becomes public knowledge.

ATTORNEY DOCKET NO. 05010.0087U1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)	
)	
WALLER et al.)	Art Unit: 1644
)	
Application No. 09/945,339)	Examiner: Belyavskiy, Michail A.
)	
Filing Date: August 31, 2001)	Confirmation No. 1418
)	
For: METHODS OF TRANSPLANTATION)	
USING CHEMOTHERAPY-TREATED)	
ALLOGENEIC CELLS THAT ENHANCE)	
IMMUNE RESPOSNE WITHOUT GRAFT)	
VERSUS HOST DISEASE)	

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Via Facsimile Transmission 703/305-3014

ATTN: Examiner Belyavskiy

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NEEDLE & ROSENBERG, P.C.
Customer Number 23859

Dear Sir:

Applicant or patent owner hereby appeals under 37 C.F.R. §1.191 to the Board of Patent Appeals and Interferences from the decision of the Examiner dated April 9, 2003 finally rejecting claims 1- 6 and 15-20.

A Credit Card Payment Form PTO-2038 authorizing payment in the amount of \$585.00, representing \$420.00 for the fee for a small entity under 37 C.F.R. § 1.17(a), which is the difference between a one month Request for Extension of Time (\$55.00) filed and paid on August 11, 2003 along with a Response to Final Office Action, and the three-month Request for

ATTORNEY DOCKET NO. 05010.0087U1
APPLICATION NO. 09/945,339

Extension of Time (\$475.00) filed herein, and \$165.00 for the fee for a small entity under 37 C.F.R. § 1.17(b). This amount is believed to be correct; however, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-0629.

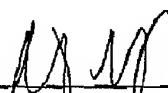
Respectfully submitted,

NEEDLE & ROSENBERG, P.C.

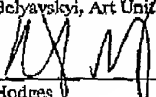
RECEIVED
CENTRAL FAX CENTER

OCT 10 2003

OFFICIAL


Robert A. Hodges
Registration No. 41,074

NEEDLE & ROSENBERG, P.C.
Customer Number 23859
(678) 420-9300
(678) 420-9301 (fax)

<u>CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8</u>	
I hereby certify that this correspondence, including any items indicated as attached or included, is being transmitted via facsimile transmission to: Examiner Behavsky, Art Unit 1418, (703) 305-3014, on the date indicated below.	
 Robert A. Hodges	Date <u>10/9/03</u>